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(5)

NO. 10-127

IN THE
SUPREME COURT OF THE UNITED STATES

IRANDOKHT BAHRAMI ALSO KNOWN AS IRENE BAHRAMI

PETITIONER

VS.

MOHAMMAD ALI SAADAT KETABCHI, ALSO KNOWN AS MOHAMMAD KETABCHI, HOMAYOUN SAADAT KETABCHI & HOMAYOUN KETABCHI

RESPONDENT

PETITION FOR REHEARING

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1- There are Erroneous Errors, and there are Affidavits which are posted in the last two pages of the Second Booklet. Affidavits are Opinion of two Experts which proves that fraud and forgery was done by Mr. Ketabchi(Second Booklet was submitted along with my Petition), that's why the Judgment of District Court Must Be Changed, as required by Fed.R.Civ.P.52(a)(6).

2- Circuit Court acknowledge the Fraud, forgery, misrepresentation, mislead and misconduct without the existence of Affidavits of Experts. Since the Affidavits of Experts submitted to US Supreme Court, there are two permissible views of the evidence, the fact finder's choice between them can not be second-guessed. By **Inwood Laboratories Inc v. Ives Laboratories, Inc 456US 844**. The Judgment of Circuit Court must be changed.

3- Case numbers listed in the Petition for Rehearing **Anderson v. Bessemer City. North Carolina, 470 US.564, 105 S. Ct. 1504, 84L.Ed(1985), Fed.R.Civ.P.52(a)(pages 2 to 5)** proves, when there are Erroneous Errors and there are Experts Opinion that proves Erroneous Error happened, the Judgment on the case must be changed. Since the Defendant fraud and forged the statements and there are "Clear and Convincing Evidence" the judgment on Fed.R.Civ.P.60(b)(3) must be changed.

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Square Construction Co v. Washington Metropolitan Area Transit Authority 657 F.2d 68
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United States v. Yellow Cab Co 338US 338
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Weldon v. United States 225 F.3d 647
Zenith Radio Corp v. Hazeltine Research Inc 395 US 100

STATUTES

Federal Rules of Civil Procedure
Fed. R.Civ.P.52(a)
Fed. R.Civ.P.52(a)(6)
Fed. R. Civ.P.60(b)
Fed. R. Civ.P.60(b)(3)

STATEMENT OF THE CASE

On October 4 2010, I received the results of the US Supreme Court regarding my Petition, my case was denied. In my booklets to the US Supreme Court, **new evidences submitted, and Signed Affidavits of two phone experts were posted in the last two pages of Second Booklet(proven fraud) Experts Opinion was, not only Mr. Ketabchi fraud and forged his only submitted phone statement to the case but also he fraud and forged my landline statement as well, only to cover up for the rape of January 25 2005(Experts Affidavits were never submitted to the District neither Court of Appeal, it was only submitted to the US Supreme Court, and proves that Erroneous Error happened)**. Isn't that true with having **Opinions** of **Experts** regarding the proven fraud which was done by the Defendant, the Supreme Court changes the judgment. My request is based on all the evidences submitted in my Three Booklets(**My Petition, Reply Brief, and Second Booklet)** and based on the Affidavits of two experts regarding Mr. Ketabchi fraud and forged the phone statements(Erroneous Error) the judgment on my case must be changed with regard to all the legal cases noted in this booklet, to the innocent and the victim side.

Mr. Ketabchi raped me in January 25 2005, but the whole thing started when he raped me the first time(Mr. Ketabchi admitted to this act in a tape, that's why Judge Berman based on favorism to Mr. Dweck did not allow my lawyers to play that tape at the Trial, it would be documented, the way Mr. Ketabchi was shouting, cursing and admitting to the rape, also, admitting to the rape of a little boy, and harassing me like crazy.
Mr. Ketabchi has sadistic behavior and moods, when he goes in to those Sadistic moods, he becomes dangerous and attacks. I also was raped by Mr. Ketabchi in 2004, prior to rape of January 25 2005, which I called Dr. Goldberg, Oncologist/Gynecologist in Bronx and said I have been raped by my husband(Mr.

Ketabchi)

In January 2005, Mr. Ketabchi attempt to rape my daughter Atosa right in front of my eyes, it was closes to come to actual rape. I hated Mr. Ketabchi even more, and when Mr. Ketabchi came to my apartment on January 25 2005, I refused to have anything with him and he raped me, burned my breast and hit me real bad(Please refer to my Petition, Second Booklet and Reply Brief to Respondent's opposition).

Senator Monserrate hit his girl friend, since she got media and public support, the legal system is putting Senator Monserrate in jail for at least 20 years. My fault was not getting public support, because I am a Middle Eastern woman from a tight culture, but now, because of the safety of my family and myself, I will go to media and public. Since Mr. Ketabchi always harassed to kill me and my family(it is in the tape), I know he will send some one to kill us, and I will not wait for that.

Before, I was like a slave in Mr. Ketabchi's prison, now I am different, since 2006, I became Honorable Chairman in all Presidential Dinner Parities, Honorable Chairman in Presidential Convention, Republican Presidential Delegate and much more, and I will not let Mr. Ketabchi to kill me and my family, then leave the country with some one else's American Passport.

THE REASONS FOR REHEARING

Anderson v. Bessemer City. North Carolina, 470 US564. Pullman Standard v. Swint 456 US 273. Inwood Laboratories, Inc. v. Ives Labratories, Inc. 456 US 844, Wainwright v. Witt, 469 US 412, Lopreski v. Terwilliger 126 F3d 34, Amadeo v. Zant 486 US 214, Rogers v. Lodge 458 US613, Pullman Standard v. Swint 456 US 273, Berenyi v. District Director 385 US630. Fleming v. NY University. State St. Bank & Trust Co v. Inversiones Errazuriz, Unitada. Hazel-Atlas Glass Cov. Hartford Empire Co. Standard Oil of Cal vs. United States. Oxxford Clothes XX Inc v. Expeditors International of Washington

Inc. Gleason v. Janorucko. Kupferman v. counsel Research & Mfg. Corp. Under the rule of law Entral Group International, LLC v.7 Days Café & Bar, et al 298Fed. Appx43(2nd Cir. 2008).

All these laws proven that if there are **CLEARLY ERRONEOUS ERROR THE JUDGMENT MUST BE CHANGED**. Since the fraud in my case is very much intentional (Erroneous Error) and forgery was done by Mr. Ketabchi, the judgment on my case must be changed **(Signed Affidavits from two phone experts submitted to US Supreme Court proves that intentional fraud and forgery happened on my case(Erroneous Error) and posted in the last two pages of the Second Booklet. These Affidavits were never submitted to any other courts but US Supreme Court . The opinion of the Experts proves that Mr. Ketabchi fraud and forged mine and his phone statements. Based on the Experts Affidavits the judgment of District court must be changed.**

Zenith Radio Corp v. Hazeltine Research, Inc 395 US100 Circuit Court acknowledge the misrepresentation, mislead and misconduct, fraud and forgery(Erroneous Error) on my case but in the absence of Experts Opinion, Circuit Court could not change the judgment on my case. **Inwook Laboratories, Inc v. Ives Laboratories, Inc 456 US 844, United States v. Yellow Cab Co 338 US338, Ceraso v. Motida Enthrprises LLC 326.** To US Supreme Court Affidavits of Experts which proves that fraud and forgery was done by Mr. Ketabchi submitted **and for that reason the judgment of Circuit Court must be changed**. In Circuit Court, there were two permissible views of the evidences. But now, as requires by the case law the facts finders choice must be in the Phone Experts side, and the Judgment on my case must be changed and my case shouldn't be denied.

King v. First American Investigations. Inc. Madonna v. United States 878 F2d 62, in my motion 60b3, in judge

Berman's judgment, reason for not changing his decision was" **in the absence of an affidavit…or other competent evidence on these issues, this court is unable to find that the documents should be considered…intentional forgeries" (Appendix C page 6). To US Supreme court I have submitted two Affidavits from phone Experts that FRAUD AND FORGERY(Erroneous Error) was done by Mr. Ketabchi and for that reason the judgment on my case must be change, anything otherwise is unconstitutional(the last two pages posted in Second Booklet).**

In re M/V Peacock, Stridiron v. Stridiron, Square Construction Co v. Washington Metropolitan Area Transit Authority, Rozier v. Ford Motor Co. The misconduct, misrepresentation, forgery and fraud(Erroneous Error) on this case was proven in my Petition and the Second Booklet. The Affidavits of the two experts, **which was only submitted to the US Supreme Court (not District or Court of Appeal)**proves that fraud and forgery(Erroneous Error) happened in my case by Mr. Ketabchi to cover up for the rape of January 25 2005, and Mr. Dweck misconduct the whole Trial by questioning from the fraud and forged phone statements to mislead every one at the Trial.

Weldon v. United States, 225 F.3d 647 Mr. Dweck submitted the fraud and forged phone statements with the knowledge of the fraud and misrepresented the whole Trial. The fraud is proven(Signed Affidavits of two Phone Experts, posted in the last two pages of Second Booklet)so as the misrepresentation by Mr. Dweck.

Brown v. Pennsylvania Railroad Company, Atchison, Topeka & Santa Fe Ry. Co. v. Barrett246F2d846, Assmann v. Fleming. Since fraud and misrepresentation in this case are proven.

Mr. Ketabchi used his brother's American Passport to Travel, money laundry and did forgery. The most convincing evidence

was Mr. Ketabchi admitting to the acts of him using his brother's American Passport(Mr. Fred Ketabchi) at the Trial, plus, Mr. Ketabchi took me with him in that trip and I saw him using his brothers American Passport with my own eyes. Also, in the same trip in London, he did money laundry in front of my eyes .

Fed.R.Civ.P.52. Orvis v. Higgins 180 F2d 537(1950) credibility of the witnesses is important, Mr. Ketabchi's only witness was Dr. Robert H. Berger which Dr Robert H. Berger listed in his resume(lower court record) claimed that he worked in Bellevue Hospital as head of the Psychiatric Department between years of 1996 to 2004. Bellevue Hospital said, Dr. Robert Berger with different license number as Dr. Robert H. Berger was working there. **Mr. Ketabchi's only witness Dr. Robert H. Berger is a Conman,** who uses other doctors experience in his Resume, because of the similarities of their name, yet Judge Berman recognized Dr. Robert H. Berger as a credible witness and based his judgment mainly on Dr. Berger's opinion and him saying that I am not credible, and my witnesses not credible. In this case, also judge Berman's credibility was in question since he discriminated against me. **The weight of my evidences submitted, Mr. Ketabchi's crimes and my witnesses were heavy and credible enough to have the judgment on my side, judge Berman used credibility reason to give the judgment to the rapist side. This only happens in Saudi, when women get raped, they are the one who are blamed and punished and the rapist walks free and proud.**

United States v. United states Gypsum Co., 333US 364. United States v. Yellow Cab Co., 332US 332. Zenith Radio Corp. v. Hazeltine Research, Inc. 395 US 100. Mr. Ketabchi and his current wife went to my doctors in 2003 and harassed to kill me and my family. Dr. Shayaste and Dr. Panah said Mr. Ketabchi is crazy and dangerous please, go to the Police, we are fearful for you and your families life. Dr. Shyaste and Dr. Panah

said, they were even worried for their own lives.

A few times Mr. Ketabchi sent cars and truck to run over me and my family then came over to my apartment and said "did you got your message" if you ever open your mouth, next time it will happen, that's why he shut me up for years.

Mr. Ketabchi cut right in front of my daughters boy friends, called their jobs, they told us about it and said that Mr. Ketabchi is very dangerous and crazy man who might harm us because of you guys, and you have to go to the Police(Kyle Nemet, Danie Ghabyzadeh, Dr. Amozagar, Dr. Babak Vakili, Salim Jadi(the son of Ambassador of Moraccor) ....) Not only Mr. Ketabchi stalking me but he stalked my family as well(doctors, boy friends, friends, Iranian Community, internet, jobs ...).

Mr. Ketabchi went to Michael Despirit, his partner and his advertising agent Mr. Schneider(my daughter Irman work for them, she is a fashion model) the way Mr. Ketabchi went to them and the way he acted, made them to be scared for us, they are willing to testify. Mr. Ketabchi followed me and my family in every step we took, as he admitted in the tape, he had people following me). I am afraid for our safety after the courts are over.

I already brought this fact to Judge Berman's attention in 2005, as well as Trial, I also said to Judge Berman, please send this man to Criminal Court, he is a very skillful criminal. Mr. Ketabchi's deceased wife Mrs. Mahvash Ketabchi had a multiple life insurances, properties, and a big bank account. She did not die of breast cancer in February 2003 Mr. Ketabchi told me that it was at night when he had an argument with his deceased wife, lost control, pushed her and she fall down the stairs, Mr. Ketabchi said it was an accident, and he did not do it purposely. He also said that, the same night of that incident, his deceased wife lost her ability of speech and walking. He purposely did not call the Ambulance and did not take her to the hospital. Mr. Ketabchi said that he said to his deceased wife's

doctor (Iranian primary doctor who cared for Mrs. Ketabchi) not to write about that incident in her file, because the insurance companies will give him hard time later on. Two months after that incident when Mrs. Ketabchi went in to the deep coma, Mr. Ketabchi called the Ambulance and took her to the hospital which she died a few days later. When she died, one of her sons and her only daughter were in Iran, getting married and her oldest son was living in Florida with his fiance.

Mr. Ketabchi said the only witness to his crime was Mrs. Farah Sherazi (the maid). Later on Mr. Ketabchi changed the name of Mrs. Fahrah Sherazi(maid) to Afsaneh Mahyari, which is the name of Mr. Ketabchi's second cousins wife who is an Iranian Canadian and lives in Vancouver with her husband, Mr. Mahyari. This way Mr. Ketabchi got rid of the only witness to his crime by changing names. Everyone will be mistaken (Mrs. Farah Sherazi named changed to Mrs. Afsaneh Mahyari) with Mrs. Afsaneh Mahyari who lives in Canada(I met the real Afsaneh Mahyari and her husband in their store which they purchased from Mr. Ketabchi for the short time in 55th street and 6th Ave in Oct 2003).

Mr. Ketabchi also, said that he will collect the money from life insurance companies way later, so no one will be suspicious. I also know Mrs. Farah Sherazi named changed to Mrs. Afsaneh Mahyari since her grandson Arman was my daughter primary school classmate. My concern is, do you still think such a criminal deserves any break.

CONCLUSION

Mr. Ketabchi skipped all of his crimes since he raped me in January 25 2005, attempt to rape my daughter Atosa, traveled with his brothers American passport and admitted at the Trial and tape, raped me right from the start and raped a little boy and admitted at the Trial.

But Mr. Ketabchi did fraud and forgery(Erroneous Error) his only phone statement submitted to the court and also did fraud and forged(Erroneous Error) my landline to cover up for the rape of January 25 2005. **Signed Affidavits from two**

Phone Experts expressing their opinion that Mr. Ketabchi fraud and forged both phone statements his and mine(Erroneous Error) and was posted in the last two pages of second booklet(proven fraud). Experts Opinion was never submitted to any court but US Supreme Court. By the law, when there is Erroneous Error and is proven by the Experts the judgment must be changed. Now, based on the case laws in "**THE REASONS FOR REHEARING**" I am appealing for the Judgment on my case to be changed, and should not be denied again, since there are Erroneous Error on my case by Mr. Ketabchi and proven by Experts.

Any ways, I have fought for myself, and I will not stop here, I will be the voice of all the women, men and children who were raped by preditors like Mr. Ketabchi. As for Mrs. Mahvash Ketabchi, I felt obligated to fight for her as well, that's why with a letter to Judge Richard M. Berman I explained every little detail to him. Also, every time I saw him I did mention about Mrs. Mahvash Ketabchi, I referred to that incident in my Trial as well. But I did not say anything about her case to Court of Appeal because I was too sick. Now, you know the whole truth, it is really worth to be considered by US Supreme Court. Mr. Ketabchi is a very dangerous man and I believe me and my family are always in danger.

I am appealing for the decision on my case to be changed based on the case laws, **Anderson v. Bassemer City, North Carolina470 US 564, Inwood Laboratories Inc v. Ives Laboratories Inc 456 US 844, United States v. Yellow Cab Co 338 US 338, King v. First American Investigations, Inc 287 F.3d 91.** Under these case laws, when there are proven Erroneous Errors in my case and there are Experts Opinion to support that, the Judgment on my case must be changed.

Thank you,

Irandokht Bahrami